



# House of Representatives

General Assembly

**File No. 529**

February Session, 2016

House Bill No. 5476

*House of Representatives, April 7, 2016*

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT EXPANDING THE USE OF DRUG DOCKETS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-181b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 [(a)] The Chief Court Administrator [may] shall establish in [any]  
4 each court location or juvenile matters court location a docket separate  
5 from other criminal or juvenile matters for the hearing of criminal or  
6 juvenile matters in which a defendant is a drug-dependent person, as  
7 defined in section 21a-240. The docket shall be available to offenders  
8 who could benefit from placement in a substance abuse treatment  
9 program.

10 [(b) The Chief Court Administrator shall establish, within the  
11 appropriations designated in public act 03-1 of the June 30 special  
12 session for said purpose, one or more drug courts for the hearing of  
13 criminal or juvenile matters in which a defendant is a drug-dependent  
14 person, as defined in section 21a-240, who could benefit from

- 15 placement in a substance abuse treatment program.]

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	<i>July 1, 2016</i>	51-181b
-----------	---------------------	---------

**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### ***OFA Fiscal Note***

#### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 17 \$</b>	<b>FY 18 \$</b>
Judicial Dept.	GF - Cost	11,113,174	11,113,174
Criminal Justice, Div.	GF - Cost	2,223,606	2,223,606
Pub. Defender Serv. Com.	GF - Cost	4,101,603	4,101,603
Comptroller Misc. Accounts (Fringe Benefits) <sup>1</sup>	GF - Cost	4,959,696	4,959,696

Note: GF=General Fund

***Municipal Impact:*** None

#### ***Explanation***

The bill requires the Judicial Department to establish a drug docket at all court and juvenile court locations<sup>2</sup> and results in a cost of approximately \$22.4 million. Currently there is a specialized drug docket in Danielson and New Haven. The bill results in a cost of approximately \$12.4 million in additional personnel for the Judicial Department court staff (a Clinical Coordinator, Administrative Assistant, and an Intake, Assessment, and Referral Specialist at each of the 33 locations), a prosecutor for the Division of Criminal Justice at each location and a public defender for each location. These positions also result in a cost of approximately \$5 million for fringe benefits for the additional 198 positions.

In addition, the bill, based on the current services offered in the Danielson and New Haven specialized drug dockets, results in a cost

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 39.94% of payroll in FY 17 and FY 18.

<sup>2</sup> There is a total of 45 JD, GA, and juvenile courts but several court locations contain JD, GA and juvenile court in one courthouse. It is assumed that those locations will only require one specialized drug docket.

of approximately \$5 million to the Judicial Department for contracted treatment slots across the state. The cost assumes that treatment services will be provided on regionalized basis rather than at each court location.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 5476*****AN ACT EXPANDING THE USE OF DRUG DOCKETS.*****SUMMARY:**

This bill requires a separate drug docket in each criminal or juvenile court for cases involving drug-dependent defendants who could benefit from substance abuse treatment. Current law allows the chief court administrator to establish these dockets, which currently operate in Danielson and New Haven.

A drug-dependent person is someone with a psychoactive substance dependence on drugs as that condition is defined in the most recent edition of the "Diagnostic and Statistical Manual of Mental Disorders."

EFFECTIVE DATE: July 1, 2016

**BACKGROUND*****Existing Drug Dockets***

The two current drug dockets, which the Judicial Branch calls the Drug Intervention Program, handle many different kinds of cases involving non-violent drug dependent defendants. The program uses residential and day treatment, supervision, court monitoring, and other strategies to address criminal activity and substance abuse.

Once in the program, a defendant (1) must come to court regularly, usually for 12 to 15 months, so the court can track his or her behavior; (2) must agree to drug testing; (3) may be ordered by the court to undergo substance abuse treatment, including detoxification, in-patient treatment, and intensive outpatient treatment; and (4) may be ordered by the court to receive vocational and educational training.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea     43     Nay   0     (03/21/2016)